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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 20 2001

In-re Application of: Tucker et al.

Application No.: 09/164,714

Group Art Unit: 1633

TECH CENTER 1600/2900

Filed: October 1, 1998

Examiner: M. Wilson

For: MORAXELLA CATARRHALIS  
PROTEIN, GENE SEQUENCE AND  
USES THEREOF

Attorney Docket No.: 7969-074-999

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Assistant Commissioner for Patents  
Box AF  
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated March 14, 2001 of the Primary Examiner finally rejecting claims 9, 11-13, 16, 20 and 71-78 of the above-identified application.


The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for 2 month(s):  
☐ was filed on  
☒ is submitted herewith.
2. ☐ A timely response to the final rejection has been filed.
3. ☒ A fee in the amount of \$310.00 is:  
☒ Required.  
☐ Not required (Fee paid in prior appeal).
4. ☐ Applicant has qualified for the 50% reduction in fee for an independent inventor, non profit organization or small business concern and a fee in the amount of \$155.00 is:  
☐ Required.  
☐ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date August 13, 2001

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